

61-2f-409 Actions for recovery of compensation restricted.

- (1)
- (a) A person may not bring or maintain an action in any court of this state for the recovery of a commission, fee, or compensation, for any act done or service rendered if the act or service is prohibited under this chapter.
 - (b) Except as provided in Subsection (1)(a), a person may bring or maintain an action in any court of this state for the recovery of a commission, fee, or compensation if the person is:
 - (i) a principal broker;
 - (ii) an individual that was licensed as a principal broker at the time the act or service that is the subject of the lawsuit was performed; or
 - (iii) an entity that, under the records of the Division of Real Estate, is affiliated with a principal broker.
- (2)
- (a) A sales agent or associate broker may not sue in that individual's own name for the recovery of a fee, commission, or compensation for services as a sales agent or associate broker unless the action is against the principal broker with whom the sales agent or associate broker is or was affiliated.
 - (b) An action for the recovery of a fee, commission, or other compensation may only be instituted and brought by the principal broker with whom a sales agent or associate broker is affiliated.

Amended by Chapter 292, 2013 General Session